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INFO RUEHBR/AMEMBASSY BRASILIA 8361
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C O N F I D E N T I A L BOGOTA 003316

SIPDIS

WHA/AND PLEASE PASS TO DOL/CARLOS ROMERO AND USTR/LAURA
BUFFO

E.O. 12958: DECL: 08/26/2018
TAGS: PTER PGOV PREL ECON SOCI CO
SUBJECT: LABOR VIOLENCE DATA ON MOTIVES REMAINS LIMITED AND
CONTROVERSIAL

REF: A. BOGOTA 2926
¶B. BOGOTA 2782

Classified By: Political Counselor John S. Creamer
For Reason: 1.4 (b,d)

SUMMARY

¶1. (C) Data on the motives behind unionist murders remains
controversial and limited. The Prosecutor General's Office
(Fiscalia) reports that the most common motive (35%)
identified in the 100 unionist murders solved since 2001 was
the victim's perceived affiliation with the FARC or ELN by
paramilitary groups. The second most common motive was
common crime (24%), followed by union affiliation (19%) and
personal disputes (7%). The unions agree that the
paramilitaries were responsible for many murders, but assert
that less than one percent of unionist homicides were the
result of common crime. Union data shows the motives remain
unknown in more than 70% of the murders reported. Local
analysts note that in Colombia's polarized political climate
from 1990-2005, paramilitary groups indiscriminately targeted
unionists, teachers, students and human rights activists for
their perceived leftist sympathies. The Fiscalia reports
that most recent homicides appear to be related to common
crime. End Summary

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PERCEIVED TIES TO ARMED GROUPS MADE UNIONISTS TARGETS
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¶2. (SBU) The Fiscalia reports that in the 100 union murders
solved since 2001, the most common motive identified (35%) by
the courts was the paramilitaries' perception that the victim
was affiliated with the FARC or ELN. The next most common
motive was common crime (24%), followed by union affiliation
(19%), personal disputes (7%), professional status (7%), and
perceived affiliation with the paramilitaries (2%). The
Fiscalia told us the "professional status" category includes
victims targeted due to their occupation, such as teachers.
Of the 199 people convicted for these murders, 100 were from
the United Self-Defense Forces of Colombia (AUC), 56 were
common criminals, 15 were members of the security forces, 12
were FARC, eight were EPL, four were ELN, two were Aguilas
Negras, one was a unionist, and another was a member of the
leftist Jorge Eliecer Gaitan Movement. The last paramilitary
block demobilized in 2006; 80% of the homicides solved by the

Fiscalia occurred from 2000-04.

¶3. (SBU) The National Union School (ENS) reports that from
1986-2007, the motives behind violence/threats against
unionists were unknown in 67% of the cases reported. Where
the motives were known, ENS says paramilitaries accounted for
the most cases (21%) followed by state organizations (7%),
and the FARC, ELN, etc. (4%). In contrast to the Fiscalia's
data, ENS asserts that less than one percent of unionists
were killed due to common crime. The ENS numbers primarily
reflect threats against unionists, not just murders--the
percentages come from a database of 9247 human rights
violations committed from 1986-2007. ENS obtains its
information from reports by local unions affected by the
threats/violence.

CONTROVERSY OVER MOTIVE DATA

¶4. (C) Data on the motives behind the unionist murders
remains controversial and limited. The ENS data is not
complete (67% unknown motives). The Fiscalia's information
only reflects the 100 solved cases (out of 1251 possible
cases). Efforts to develop better data encounter political
obstacles. Local ILO representative Marcelo Casto Fox told
us the largest labor confederation--the CUT--is not
interested in an "independent" effort to determine the cause
of union violence, noting that the CUT opposed an ILO
proposal to set up a "Truth Commission" in 2001 to examine
this issue. He said that within the tripartite body set up

to review violence cases, the unions consistently oppose
efforts to identify the motives behind unionists' murders.
The CUT fears such an attempt will undermine its claims that
almost all murdered unionists were killed due to union
activities.

¶5. (C) ENS Director Luciano Sanin told us better data on
union homicides would be useful, but questioned current GOC
methods for determining the motives in union murders. He
said the Fiscalia should use a "systematic investigation"
method rather than treating each case in an isolated fashion.
 Sanin also complained that the motives reported by the
Fiscalia are frequently the result of plea bargains. He
argued that judges should have the authority to overturn such
determinations. Human Rights Prosecutor Sandra Castro said
it is legally possible for a judge to overrule a finding in a
plea bargain, but confirmed that this rarely occurs. Current
Special Labor Judge Maria Duran told us she does not think
the plea bargain issue is significant.

DUALITY MAKES UNIONISTS TARGETS

¶6. (C) Sanin acknowledged that what often makes unionists
the targets of violence is their perceived "duality" as both
labor leaders and catalysts for political change. He said
teachers are targeted due to their perceived political
affiliations and important social role. FECODE Human Rights
Director Jorge Ramirez told us teachers make up about 40% of
murdered unionists since 2001, in part because teachers make
up 34% of all registered unionists and because of their
presence in rural, conflict-ridden parts of Colombia. Former
FECODE Secretary General and CUT President (1998-2003) Hector
Fajardo told us the Stalinist FARC targeted the traditionally
Maoist FECODE in particular from 1981-1993, leading to the
murder of many unionized teachers.

¶7. (C) Researcher Mauricio Romero from the left-leaning
think tank Arco Iris told us labor violence is best
understood in the context of a polarized political climate
and the stigmatization of unions and social movements for
their alleged ties with the armed left. He said the ELN
infiltrated unions and manipulated them to advance the ELN's
agenda--a variant of the FARC's "all forms of struggle." The
FARC targeted unions to a lesser extent, infiltrating them to

facilitate kidnapping and extortion operations. Romero added
that the Communist and Maoist parties--which continue to
exercise influence within the labor movement--actively
supported the FARC and ELN respectively during the 1980s and
early 1990s. Romero's colleague--Ariel Avila--told us that as
paramilitaries murdered unionists, students and indigenous,
the survivors either became more radical and supported the
armed conflict, or went into hiding.

CAUSES OF CURRENT VIOLENCE

¶8. (C) Rhett Doumitt of the AFL-CIO affiliated Solidarity
Center told us paramilitary violence against unionists
subsided after the last paramilitary block demobilized in
¶2006. Recent murders of unionists are largely related to
common crime. Castro told us that in the four cases from
2008 that have been resolved, the motive was determined to be
a personal dispute in two cases and common crime in another.
The motive has yet to be determined in the fourth case, but
it also appears to be a personal dispute. In the 2008
murders that have not yet been solved, the Fiscalia gave us
"preliminary information" which indicates that none of the
reported unionist deaths appears to be due to union
affiliation. The Fiscalia obtained this data via informal
calls to local investigators. The ENS discounts this
information as unreliable, complaining that the Fiscalia
often reports the perpetrators but not the intellectual
authors of the crimes.
NICHOLS